

**REMARKS**

At the time of the Office Action dated December 7, 2004, claims 1-21 were pending. In this Amendment, claims 1, 2, 3, 11, 12, 16 and 20 have been amended. Care has been exercised to avoid the introduction of new matter. Adequate descriptive support for the amendment of claims 1, 3, 11, 12, 16 and 20 can be found in, for example, Fig. 1 and relevant description of the specification. Claim 2 has been amended to correct typographic oversight.

**Specification.**

It has been pointed out that the title of the invention is not descriptive. In response, a new title has been submitted in this Application. Applicants respectfully solicit withdrawal of the objection to the specification.

**Claim Objections.**

Claim 2 has been objected to because of informalities. In response, claim 2 has been amended to replace the word "icludes" with --includes-- in a manner suggested by the Examiner. Accordingly, withdrawal of the objection to claim 2 is respectfully solicited.

**Claims 1-21 have been rejected under 35 U.S.C. §102(b) as being anticipated by Escobar et al.**

In the statement of the rejection, the Examiner asserted that Escobar et al. discloses authoring tools for multimedia application development and network delivery identically corresponding to what is claimed.

It is well established precedent that the factual determination of lack of novelty under 35 U.S.C. §102 requires the identical disclosure in a single reference of each element of the claimed invention, such that the identically claimed invention is placed into the possession of one having ordinary skill in the art. *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F. 3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994). Based on this Amendment, it is submitted that Escobar et al. does not disclose the claimed invention for the reasons set forth below.

Escobar et al. pertains to an apparatus for authoring multi-media assets into a final interactive multi-media application. Escobar et al. discloses an “ASSET/OBJECT” bin which stores objects. This “ASSET/OBJECT” bin may be considered to correspond to an image data memory and effect data memory recited in claim 1, and the objects stored therein may correspond to the claimed effect data. As shown in Fig. 7, the reference discloses an IDL which directly specifies a special effect applied to “video objects” (the claimed image data) as a specific object in the “ASSET/OBJECT” bin.

However, it is emphasized that Escobar et al. does not disclose mapping data which represents correspondence between an editing effect name and one of a plurality of effect data, recited in independent claims 1, 11, 12, 16, 20 and 21.

In addition, claims 1 and 12 recite applying an editing effect to image data to generate a series of edited video image data. The editing effect is referred to by “a mapping data” identified by an editing effect name which editing management data specifies. In short, the editing management data indirectly specifies the effect data representing the editing effect by using the editing effect name. Therefore, the editing management data differs from the IDL disclosed in Escobar et al. in structure.

Furthermore, claims 1, 11, 12, 16, 20 and 21 recite changing the mapping data representing correspondence between “an editing effect name” and “one of the plurality of the effect data.” This modification process is different from an object editing process disclosed in Escobar et al.

Accordingly, Applicants submit that Escobar et al. does not identically disclose all the limitations recited in independent claims 1, 11, 12, 16, 20 and 21 within the meaning of 35 U.S.C. §102. Accordingly, those claims are not anticipated by the reference. Dependent claims 2-10, 13-15 and 17-19 are also patentably distinguishable at least because they respectively include all the limitations of independent claims 1, 12 and 16. Applicants, therefore, respectfully solicit withdrawal of the rejection of the claims and favorable consideration thereof.

**Conclusion.**

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner’s amendment, Examiner is requested to call Applicants’ attorney at the telephone number shown below.


To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

**Application No.: 09/704,548**

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Tomoki Tanida", written over the printed name.

Tomoki Tanida

Recognition under 37 C.F.R. 10.9(b)

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 SAB:TT  
Facsimile: 202.756.8087  
**Date: March 7, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**

WDC99 1050377-1.050063.0059